

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NUSTAR PIPELINE COMPANY, LLC f/k/a
KANEB PIPELINE COMPANY, LLC, and
NUSTAR TERMINALS SERVICES, INC. f/k/a
SUPPORT TERMINAL SERVICES, INC.,

Plaintiffs,

v.

INSURANCE COMPANY OF NORTH
AMERICA, UNITED STATES FIDELITY &
GUARANTY COMPANY, and ILLINOIS
UNION INSURANCE COMPANY,

Defendants.

Case No.: 3:12-cv-05336

STIPULATED MOTION & ORDER TO
REMAND TO STATE COURT
WITHOUT PREJUDICE AND
WITHOUT AN AWARD OF FEES OR
COSTS

NOTED ON MOTION CALENDAR:
May 4, 2012

STIPULATED MOTION

The parties voluntarily agree and stipulate to remand this matter back to state court, without an award of fees or costs to any party. By agreeing to this remand, the parties do not intend to prejudice any party's right to subsequently remove this matter back to federal court if there is a legal and procedural basis for doing so.

STIPULATED MOTION & ORDER TO REMAND TO
STATE COURT WITHOUT PREJUDICE AND WITHOUT
AN AWARD OF FEES OR COSTS - 1

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ORDER

Based upon the stipulation of counsel for the parties,

IT IS HEREBY ORDERED that this matter is remanded to state court, without an award of fees or costs to any party. This order does not prejudice any party's right to subsequently remove this matter back to federal court if there is a legal and procedural basis for doing so.

DATED this ____ day of _____, 2012.

The Honorable Robert J. Bryan
United States District Judge

Presented through stipulation by:

COZEN O'CONNOR

/s/ Thomas M. Jones

/s/ Brendan Winslow-Nason

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STIPULATED MOTION & ORDER TO REMAND TO
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AN AWARD OF FEES OR COSTS - 2

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18 Attorneys for Plaintiffs NuStar Pipeline Company, LLC and NuStar Terminals Services, Inc.

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STIPULATED MOTION & ORDER TO REMAND TO
STATE COURT WITHOUT PREJUDICE AND WITHOUT
AN AWARD OF FEES OR COSTS - 3

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Plaintiffs NuStar Pipeline Company, LLC and NuStar Terminals Services, Inc.	Stephen J. Tan, WSBA #22756 CASCADIA LAW GROUP PLLC stan@cascadialaw.com mliton@cascadialaw.com
Defendant Insurance Company of North America	R. Lind Stapley, WSBA #19512 SOHA & LANG, P.S. stapley@sohalang.com murray@sohalang.com courtnotices@sohalang.com
Defendant United States Fidelity and Guaranty Company	T. Arlen Rumsey, WSBA #19048 GORDON POLSCER arumsey@gordon-polscer.com loverlie@gordon-polscer.com

I hereby also certify that a copy was mailed via U.S. Mail to the following:

J. Mark Lawless, Texas Bar #12041700 Pamella A. Hopper, Texas Bar #00793980 MCGUIREWOODS LLP 327 Congress Avenue, Suite 490 Austin, TX 78701 PHONE: 512-472-3067 mlawless@mcguirewoods.com phopper@mcguirewoods.com	Thomas M. Farrell, Texas Bar #06839250 MCGUIREWOODS LLP 600 Travis Street, Suite 7500 Houston, TX 77002-2906 PHONE: 713-353-6677 tfarrell@mcguirewoods.com
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DATED this 4th day of May, 2012.

COZEN O'CONNOR

By: /s/ Diane M. Finafrock
Diane M. Finafrock, Legal Assistant

STIPULATED MOTION & ORDER TO REMAND TO
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AN AWARD OF FEES OR COSTS - 4

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